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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,326	07/19/2003	Wlodzimierz Jon Tuszko		3267

7590 03/03/2005

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5434 Camino De Ville
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EXAMINER

REIFSNYDER, DAVID A

ART UNIT	PAPER NUMBER
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1723

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/623,326

EXAMINER

ART UNIT

PAPER

20050225

DATE MAILED:

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Commissioner for Patents

This miscellaneous communication is being sent because no extension of time fee has been entered in Application Serial Number 10/623,326. It is believed that the applicant has already filed a CIP of Application Serial Number 10/623,326. The applicant was previously informed that if he files a CIP Application of Serial Number 10/623,626, that he needs to file a petition for an extension of time and pay for an extension of time for Application Serial Number 10/623,326. However, since an extension of time fee does not appear to have been paid in Application Serial Number 10/623,626, the applicant is again reminded of the need to pay the fee.

The following is taking from the MPEP so the applicant can determine how long of an extension of time he needs.

37 CFR 1.136(a) (2) provides, in part, that "[t]he date on which the petition for extension of time and the fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee." Thus, a petition under 37 CFR 1.136(a) need not be accompanied by a reply (e.g., in situations in which the extension is necessary for copendency with a continuing application). Where the extension is obtained solely for the purpose of copendency with a continuing application, and no reply is filed, the application will become abandoned upon expiration of the so-extended period for reply.

Applicants are cautioned that an extension of time will not be effected in the prior application by filing a petition for an extension of time, extension fee, or fee authorization, in the continuing application. This is because the petition for an extension of time (or constructive petition under 37 CFR 1.136(a)(3)) must be directed toward and filed in the application to which it pertains in accordance with 37 CFR 1.4 and 1.5.

If the applicant has not filed a petition and extension of time fee yet, he needs to be aware that he needs to pay the fee up to the date that he files the petition and fee. For example, if he has not filed the petition and fee yet, he needs to file a 3 month extension of time fee before March 22, 2005.

David A Reifsnyder
David A Reifsnyder
Primary Examiner
Art Unit: 1723